

REMARKS

Summary of Office Action

Prior to this Reply, claims 1-49 were pending in the above-identified patent application. Claims 13-17 and claims 21-49 were withdrawn from consideration. (Applicants respectfully note that the Office Action Summary attached to the March 10, 2004 Office Action identified only claims 1-12 and 18-20 as pending and did not indicate that any claims were withdrawn. Applicants respectfully request that corrected claim disposition information be included in the next Office Action.)

Claims 1-12 and 18-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Lesh et al. U.S. Patent 6,152,144 (hereinafter "Lesh").

Applicants' Reply

Reconsideration and allowance of this application in light of the following remarks are respectfully requested.

Applicants respectfully note that the Examiner has not returned an initialed copy of a Form PTO-1449 filed on January 2, 2002. Applicants respectfully request that the Examiner return such a copy. (A copy of the Form PTO-1449 is enclosed for the convenience of the Examiner.)

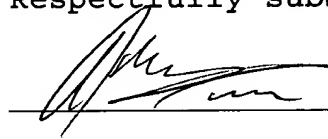
Claims 2-12 depend, either directly or indirectly, from claim 1. Applicants have amended claim 1 to include a membrane tube having a second closed end. In the March 10, 2004 Office Action, the Examiner rejected claim 3, which is directed to a device comprising a second closed end, over Lesh. However, the Examiner did not state or suggest that Lesh teaches a second closed end. Applicants respectfully submit that Lesh does not show or suggest a second closed end. Applicants respectfully submit that a linear feature on the right side of a device shown in partial section (Lesh, col. 6, ln 49) in Lesh FIG. 7 is not a closed end, but an elevational view of the right edge of an open-ended cylindrical sheath (72). Applicants respectfully submit, therefore, that the amendment of claim 1 overcomes the Examiner's rejections of claims 1-2 and claims 4-12. Applicants have canceled claim 3.

Claims 19 and 20 depend directly from claim 18. Applicants have amended claim 18 to more particularly point out that the filter element is disposed on the membrane. Applicants respectfully submit that Lesh does not show or suggest a filter element disposed on a membrane. Applicants respectfully submit that the amendment of claim 18 overcomes the Examiner's rejections of claims 18-20.

Conclusion

For at least the reasons set forth above, applicants respectfully submit that this application is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

Respectfully submitted,



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Applicant Thomas E. Borillo et al.

Serial No.: 09/932,512 Filed August 17, 2001

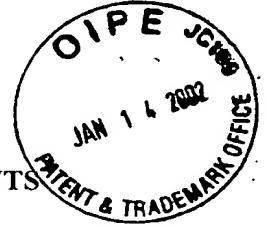
Receipt is hereby acknowledged of the
Information Disclosure Statement (in duplicate); PTO-1449 (in
duplicate); copies of cited references.

Dated January 2, 2002

Filed in connection with the above case

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U.S. PATENT DOCUMENTS

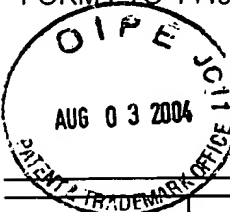
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	178,283	06/06/1876	French			
	1,967,318	07/24/1934	Monahan	128	227	
	3,844,302	10/29/1974	Klein	135	26	
	3,874,388	04/01/1975	King et al.	128	334 R	
	4,007,743	02/15/1977	Blake	128	334	
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	5,108,420	04/28/1992	Marks	606	213	
	5,171,259	12/15/1992	Inoue	606	213	
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		APPLICANT Borillo et al.				FILING DATE Aug. 17, 2001	
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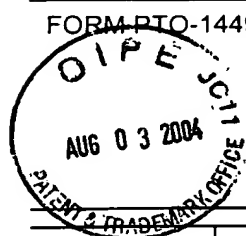
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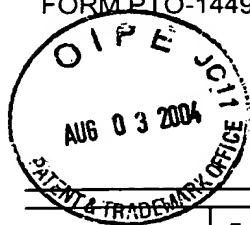
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		APPLICANT Borillo et al.				FILING DATE Aug. 17, 2001	
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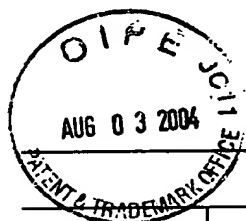
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FOREIGN PATENT DOCUMENTS


EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 00/27292	05/18/2000	PCT	A61B	17/08		
	WO 93/13712	07/22/1993	PCT	A61B	17/00		
	WO 01/21247	03/29/2001	PCT	A61M	29/00		
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		APPLICANT Borillo et al.	
		FILING DATE Aug. 17, 2001	GROUP 3763

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